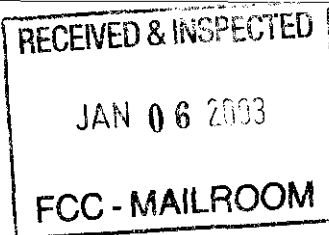


WHITE PLAINS PUBLIC SCHOOLS

EDUCATION HOUSE
FIVE HOMESIDE LANE
WHITE PLAINS, NEW YORK 10605
TEL: 914-422-2061



DOCKET FILE COPY ORIGINAL

RICHARD C. LASSELLE
ASSISTANT SUPERINTENDENT FOR
BUSINESS

December 16, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Ref.: Appeal of Universal Service Administrator's
decision with respect to White Plains City SD

Dear Ms. Dortch:

Attached are an original and four copies of a request to waive the FY 2002 Form 471 application window deadline as applied to White Plains's FY 2002 funding.

A receipt copy is also enclosed for our records. Please stamp it "received" and return it to us in the self-addressed stamped envelope.

Sincerely,

A handwritten signature in cursive script that reads "Richard C. Lasselle".

Richard C. Lasselle
Assistant Superintendent for Business
White Plains City School District

RCL/dac
Attachments

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of:)	
)	
Request for Review of Decisions)	Docket Nos. 97-21 and 96-45
of the Universal Service Administrator)	

Ref.:	Applicant Name:	White Plains City School District
	Entity Number:	123701

Background:

On December 6, 2001, White Plains City School District (Entity Number: 123701) began the FY 2002 application process by filing a Form 470 (Application Number: 447230000392811). The associated Form 470 Certification was received by the SLD on December 8, 2002. This led to an allowable contract date of January 3, 2002 and gave White Plains until 11:59 p.m. EST on January 17, 2002 to send its Form 471 to the SLD.

White Plains recently completed a regularly scheduled audit and discovered that the person responsible for filing its FY 2002 Form 471 had failed to do so. Due to personnel changes, the District's E-Rate contact changed. The request for the new contact to receive E-Rate information was faxed on August 14, 2001. The new person began receiving E-Rate information after the January 17, 2002 deadline had passed.

On November 12, 2002, White Plains filed an appeal with the SLD requesting a waiver of the FY 2002 Form 471 application window deadline to permit White Plains to file for FY 2002 funding. On November 18, 2002, the SLD denied this waiver on the basis that FCC rules do not permit the SLD to consider such a request. This waiver request is therefore being made to the FCC.

Waiver request:

By this appeal, we request that the FCC grant us a waiver of its rules to allow us to file our FY 2002 Form **471** outside of the application window. FCC regulations allow a tiling deadline *to* be waived if it "is supported by a showing of good cause" and the waiver "better serves the public interest than strict adherence to the general rule."

We believe that good cause is demonstrated by the fact that the flow of information regarding deadlines was interrupted, which led to the failure to submit an E-rate application. Furthermore, the granting of a waiver serves the public interest by supplying our district with much needed E-rate funds.

Please approve this waiver request so that White Plains will have the funds necessary to pay for the technology that our students so desperately need to prepare for the 21st century.

Respectfully submitted,

By: 

Richard C. Lasselle

White Plains City SD
Five Homeside Lane
White Plains, NY 10605
914-422-2061

Dated: November 2, 2002